

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: )  
Sanjeev Roy, ) **Case No. 19-21748 GLT**  
) )  
) **Chapter 13**  
Debtor(s). )  
\_\_\_\_\_ X Related to Docket No. 113

**ORDER OF COURT**  
**(Check Boxes That Apply)**

☒ **Confirming Plan on Final Basis** ☐ **Chapter 13 Plan dated:**  
\_\_\_\_\_

☐ **Authorizing Distributions Under Plan** ☒ **Amended Chapter 13 dated:**  
**On Interim Basis Solely as Adequate 7/19/22**  
**Protection**

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is \$5.257.00 effective 8/1/21.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

**1. Unique Provisions Applicable Only to This Case: Only those provisions which are checked below apply to this case:**

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$, beginning. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.

- ☒ B. The length of the Plan is changed to a total of at least 40 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

**PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.**

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor \_\_\_\_\_ shall be paid monthly payments of \$\_\_\_\_\_ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- 
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

- 
- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
- 
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- 
- ☒ K. Additional Terms and Conditions:
- Sale Order (at Doc 107) is incorporated into the plan and this Order. Net sale proceeds (of \$76,586) to be dedicated to the plan and in accordance with the Order, to be earmarked, after Trustee fees, to first pay 100% of general unsecured claims. Balance will be used as general plan funding, including payment of the balance of allowed Debtor attorney fees.
  - \$12,041.23 that represents mortgage escrow refund on property that was sold that was posted 8/16/22 shall be added to balance on hand and dedicated to general plan funding including payment of allowed Debtor attorney fees.
  - Any funds not used to complete the plan will be refunded to the debtor.
  - Provision for surrender of 121 Sewickly Farm Circle in Part 3.5 of the plan is stricken. Property was sold, per Order of Court.

**2. Deadlines. The following deadlines are hereby established and apply to this case:**

**A. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**B. Review of Claims Docket and Objections to Claims.** Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

**C. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**D. Filing Amended Plans or Other Stipulation.** Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

**3. Additional Provisions. The following additional provisions apply in this case:**

**A.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**B.** The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

**G.** The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

**H.** The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: August 19, 2022      -

  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk

In re:  
Sanjeev Roy  
Debtor

Case No. 19-21748-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Aug 19, 2022

User: auto  
Form ID: pdf900

Page 1 of 3  
Total Noticed: 42

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 21, 2022:

Recip ID	Recipient Name and Address
db	#+ Sanjeev Roy, 121 Sewickley Farms Circle, Mars, PA 16046-7143
r	+ Zita Billmann, Coldwell Banker Realty, 9600 Perry Highway, Pittsburgh, PA 15237-5552
15042742	+ Ameriprise Financial I, 827 Ameriprise Financial, Minneapolis, MN 55474-0008
15042754	+ Flr Solution, Po Box 94498, Las Vegas, NV 89193-4498
15042755	Fm/citizens, 121 South 13th Street, Blair, NE 68008
15042759	Lending Club Corp, 71 Stevenson St Ste 300, San Francisco, MI 49000
15433962	+ U.S. Bank Trust National Association, Selene Finance LP, Attn: BK Dept, 3501 Olympus Blvd, Suite 500, Dallas, TX 75019-6295

TOTAL: 7

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: RASEBN@raslg.com	Aug 19 2022 23:49:00	U.S. Bank Trust National Association, not in its i, Robertson, Anschutz, Schneid, Crane & Pa, 10700 Abbotts Bridge Road, Suite 170, Duluth, GA 30097-8461
15042743	+ Email/Text: BarclaysBankDelaware@tsico.com	Aug 19 2022 23:49:00	Barclays Bank Delaware, Po Box 8803, Wilmington, DE 19899-8803
15042744	+ Email/Text: BKMailBayview@bayviewloanservicing.com	Aug 19 2022 23:49:00	Bayview Loan Servicing, LLC, 4425 Ponce De Leon Blvd. 5th Floor, Miami, FL 33146-1839
15083176	+ Email/Text: BKMailBayview@bayviewloanservicing.com	Aug 19 2022 23:49:00	Bayview Loan Servicing, LLC, 4425 Ponce de Leon Blvd, 5th Floor, Coral Gables, FL 33146-1839
15042746	Email/PDF: AIS.cocard.ebn@aisinfo.com	Aug 19 2022 23:55:04	Capital One, 15000 Capital One Dr, Richmond, VA 23238
15042745	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Aug 19 2022 23:55:07	Cap1/bstby, Po Box 30253, Salt Lake City, UT 84130-0253
15042747	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 19 2022 23:55:04	Cbna, Po Box 6497, Sioux Falls, SD 57117-6497
15042750	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 19 2022 23:55:11	Citi, Po Box 6241, Sioux Falls, SD 57117-6241
15042751	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Aug 19 2022 23:49:00	Comenity Bank/levin, Po Box 182789, Columbus, OH 43218-2789
15302493	+ Email/Text: nsm_bk_notices@mrcooper.com	Aug 19 2022 23:49:00	Community Loan Servicing, LLC, 4425 Ponce De Leon Blvd., 5th Floor, Coral Gable, FL 33146-1839
15042752	+ Email/Text: BKPT@cfna.com	Aug 19 2022 23:49:00	Credit First N A, 6275 Eastland Rd, Brookpark, OH 44142-1399
15042753	+ Email/Text: bankruptcy@dcu.org	Aug 19 2022 23:49:00	Digital Fed Credit Uni, 220 Donald Lynch Blvd,

District/off: 0315-2

User: auto

Page 2 of 3

Date Rcvd: Aug 19, 2022

Form ID: pdf900

Total Noticed: 42

			Marlborough, MA 01752-4708
15071533	+ Email/Text: Hcabankruptcy-courtntices@hcamerica.com	Aug 19 2022 23:49:00	HYUNDAI CAPITAL AMERICA DBA, HYUNDAI MOTOR FINANCE, PO BOX 20809, FOUNTAIN VALLEY, CA 92728-0809
15042756	+ Email/Text: bankruptcy@huntington.com	Aug 19 2022 23:49:00	Huntington National Ba, 7 Easton Oval # Ea5w29, Columbus, OH 43219-6060
15042757	+ Email/Text: Hcabankruptcy-courtntices@hcamerica.com	Aug 19 2022 23:49:00	Hyundai Capital America, 4000 Macarthur Blvd Ste, Newport Beach, CA 92660-2516
15042748	Email/PDF: ais.chase.ebn@aisinfo.com	Aug 19 2022 23:55:10	Chase Auto, Po Box 901003, Ft Worth, TX 76101
15042749	Email/PDF: ais.chase.ebn@aisinfo.com	Aug 19 2022 23:55:07	Chase Card, Po Box 15298, Wilmington, DE 19850
15057246	Email/PDF: ais.chase.ebn@aisinfo.com	Aug 19 2022 23:55:10	JPMorgan Chase Bank, N.A., National Bankruptcy Department, P.O. Box 29505 AZ1-1191, Phoenix, AZ 85038-9505
15042758	+ Email/Text: PBNCNotifications@peritussservices.com	Aug 19 2022 23:49:00	Kohls/chase, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
15042760	+ Email/PDF: resurgentbknotifications@resurgent.com	Aug 19 2022 23:55:11	LVNV Funding, PO BOX 10497 MS 576, Greenville, SC 29603-0497
15048794	Email/PDF: resurgentbknotifications@resurgent.com	Aug 19 2022 23:55:07	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15042761	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 19 2022 23:55:07	Ntb/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
15083224	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Aug 19 2022 23:55:07	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15042763	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Aug 19 2022 23:55:10	Portfolio Recov Assoc, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
15042762	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Aug 19 2022 23:55:04	Portfolio Recov Assoc, 120 Corporate Blvd Ste 100, Norfolk, VA 23502-4952
15042764	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 19 2022 23:55:07	Sears/cbna, Po Box 6282, Sioux Falls, SD 57117-6282
15042765	+ Email/PDF: gecsed@recoverycorp.com	Aug 19 2022 23:55:10	Syncb/dkdc, P.o. Box 965005, Orlando, FL 32896-5005
15042766	+ Email/PDF: gecsed@recoverycorp.com	Aug 19 2022 23:55:04	Syncb/jc Penney Dc, Po Box 965007, Orlando, FL 32896-5007
15042767	+ Email/PDF: gecsed@recoverycorp.com	Aug 19 2022 23:55:07	Syncb/jcp, Po Box 965007, Orlando, FL 32896-5007
15042768	+ Email/PDF: gecsed@recoverycorp.com	Aug 19 2022 23:55:07	Syncb/lowes, Po Box 965005, Orlando, FL 32896-5005
15042769	+ Email/Text: bncmail@w-legal.com	Aug 19 2022 23:49:00	Target N.b., Po Box 673, Minneapolis, MN 55440-0673
15042770	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Aug 19 2022 23:55:07	Thd/cbna, Po Box 6497, Sioux Falls, SD 57117-6497
15042771	+ Email/Text: TFS_Agency_Bankruptcy@toyota.com	Aug 19 2022 23:49:00	Toyota Motor Credit Co, 240 Gibraltar Rd Ste 260, Horsham, PA 19044-2387
15077245	^ MEBN	Aug 19 2022 23:44:24	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15075391	Email/PDF: BankruptcynoticesCCSBKOperations@wellsfargo.com	Aug 19 2022 23:55:04	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 35

District/off: 0315-2

User: auto

Page 3 of 3

Date Rcvd: Aug 19, 2022

Form ID: pdf900

Total Noticed: 42

**BYPASSED RECIPIENTS**

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		BAYVIEW LOAN SERVICING, LLC
cr		Community Loan Servicing, LLC
cr		JPMORGAN CHASE BANK, N.A.

TOTAL: 3 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

**NOTICE CERTIFICATION**

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 21, 2022

Signature: /s/Gustava Winters**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 19, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor BAYVIEW LOAN SERVICING LLC bnicholas@kmlawgroup.com
Brian Nicholas	on behalf of Creditor Community Loan Servicing LLC bnicholas@kmlawgroup.com
Charles Griffin Wohlrab	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association cwohlrab@raslg.com
Lawrence W. Willis	on behalf of Debtor Sanjeev Roy ecf@westernpabankruptcy.com urfreshstr@gmail.com;willislr88866@notify.bestcase.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
Stephen Russell Franks	on behalf of Creditor JPMORGAN CHASE BANK N.A. amps@manleydeas.com

TOTAL: 7